

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Zelman Tract – Glenn Semanisin

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Matthew West ^{MW} **CONTACT:** Amanda Smith **EXT.** 7371

Agenda Date 10/02/02 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. Recommend approval to the Board of County Commissioners a rezoning from RP (Residential Professional) to RP (Residential Professional) for approximately 0.24 acres per the attached the development order, located on the southwest corner of Roy Boulevard and Maitland Avenue; or
2. Recommend denial to the Board of County Commissioners a rezoning from RP (Residential Professional) to RP (Residential Professional) for approximately 0.24 acres, located on the southwest corner of Roy Boulevard and Maitland Avenue; or
3. Recommend a continuance until a date certain.

Commissioner Henley – District 4

Amanda Smith, Senior Planner

BACKGROUND:

The applicant is requesting to rezone the subject property from RP (Residential Professional) to RP (Residential Professional), for the development of a law office located on the southwest corner of Roy Boulevard and Maitland Avenue.

PLANNING STAFF RECOMMENDATION:

Planning Staff recommends approval of the proposed rezoning request, by means of the attached development order, based on the following:

1. Compatible with adjacent residential and non-residential developments.

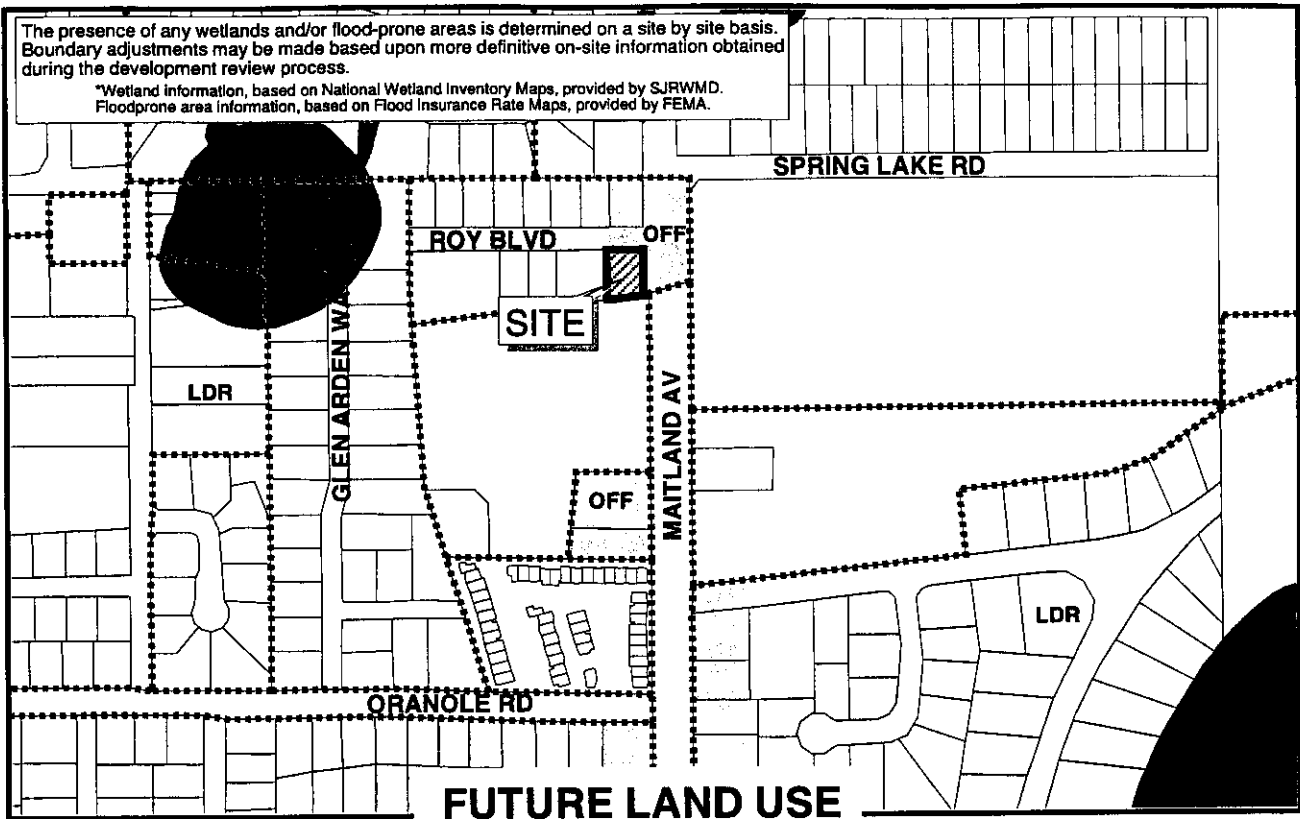
Reviewed by:
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____

File No. Z2002-023

2. Consistent with the Seminole County Vision 2020 Plan policies related to Office land use.
3. Consistent with the intent of the RP (Residential Professional) zoning classification of the Seminole County Land Development Code.

The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.

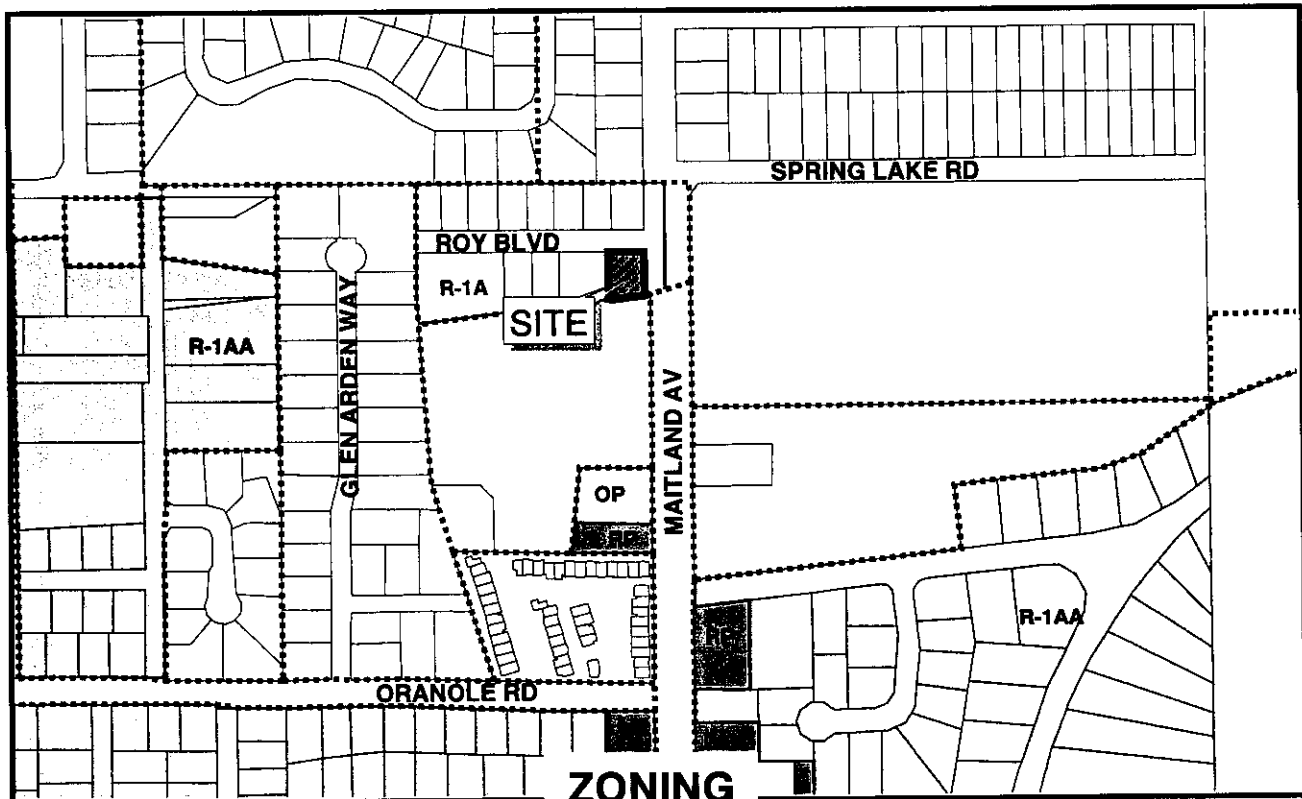
*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
 Municipality
 OFF
 LDR
 CONS

Applicant: Andrew Zelman
 Physical STR: 24-21-29-511-0B00-0010
 Gross Acres: +/- 0.24 BCC District: 4
 Existing Use: Single Family Residential
 Special Notes: _____



	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2002-023	RP	RP



ZONING
 OP
 RP
 R-1A
 R-1AA

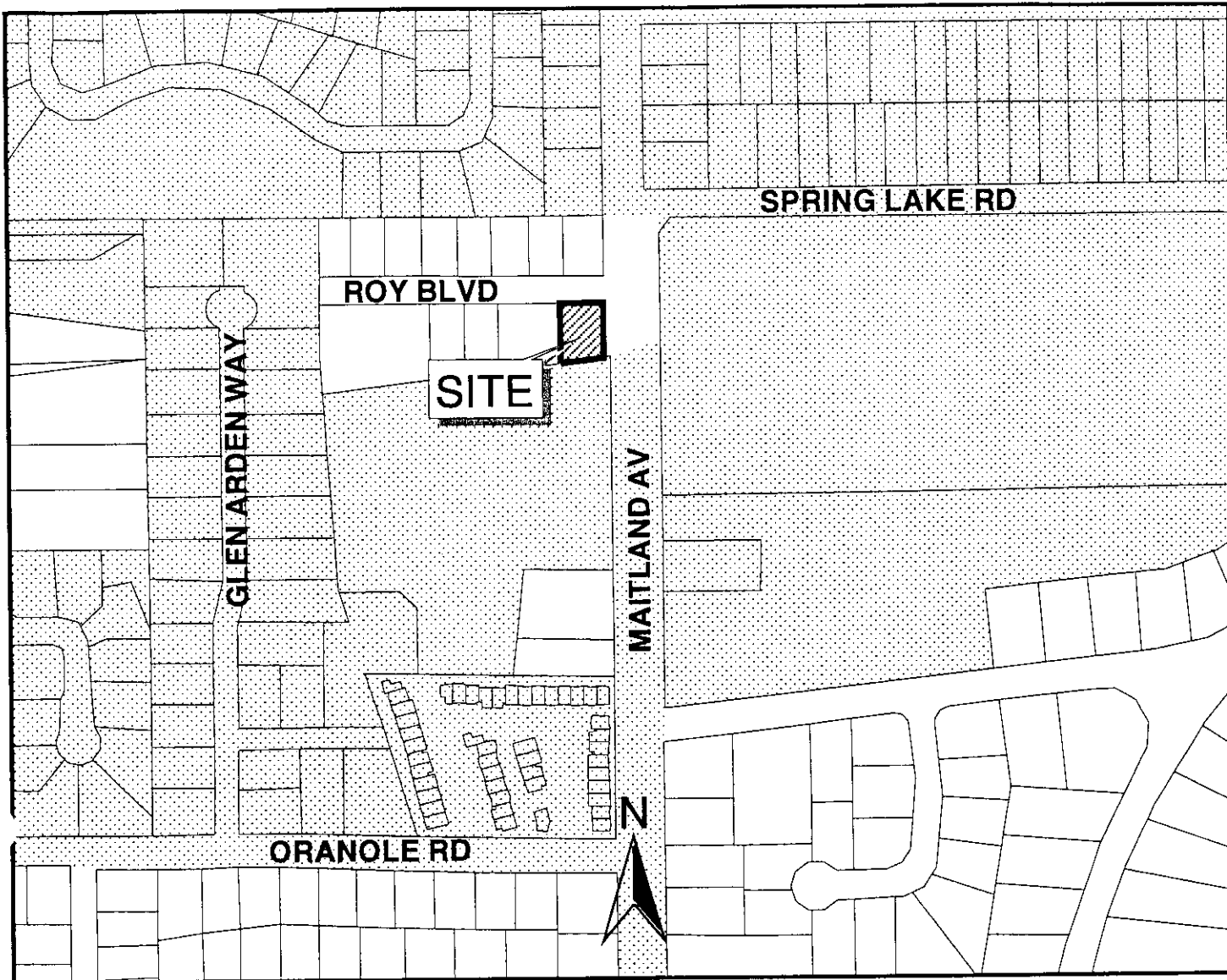


Rezone No. Z2002-023
From: RP To: RP

-  Subject Property
-  Parcelbase



February 1999 Color Aerials



REQUEST INFORMATION		
APPLICANT	Glen n Semanisin, P.E.	
PROPERTY OWNER	Andrew Zelman	
REQUEST	Rezone 0.24 acres from RP (Residential Professional) to RP (Residential Professional)	
HEARING DATE (S)	P&Z: October 2, 2002	BCC: October 22, 2002
SEC/TWP/RNG	24-21-29-511-0B00-0010	
LOCATION	Southwest corner of Roy Boulevard and Maitland Avenue	
FUTURE LAND USE	Office	
FILE NUMBER	Z2002-023	
COMMISSION DISTRICT	4, Henley	

OVERVIEW

Zoning Request: The applicant is requesting to rezone approximately 0.24 acres located on the southwest corner of Roy Boulevard and Maitland Avenue from RP (Residential Professional) to RP (Residential Professional) for the development of a law office.

In 1988, the subject property was rezoned from R-1A (Single Family Dwelling District) to RP (Residential Professional) to allow for the conversion of a two-story dwelling unit to a general office building, excluding medical or dental office uses with the condition that the property provide a cross easement for property to the south, as well as provide a brick or masonry wall along the western property line. Also, access was restricted to Maitland Avenue. Although the property was rezoned to RP, the use remained as single family residential. Since a building permit and an occupational license was not obtained within a year of the rezoning approval, the RP zoning must be approved by both the LPA/P&Z and the Board of County Commissioners.

Most of the development along Maitland Avenue consists of single family residential dwelling units that have been converted into professional office buildings. The proposed request would be in keeping with the development trends for the area. Therefore, staff has no objections to the proposed request.

Due to the existing structure's placement on the property, the applicant is requesting gravel, reduced-size parking spaces and a one-way driveway that will allow the traffic to exit onto Roy Boulevard, a residential street. Additionally, the applicant is requesting the following deviations from the Land Development Code requirements in order to accommodate the proposed development:

1. A reduced driveway width, with a minimum width of 12 feet;
2. Ten reduced sized parking spaces, not less than 9'x18' in size;
3. Five gravel parking spaces;
4. A reduced landscaping buffer width of 3 feet minimum, 6 feet average along the southern property line; and

5. A vinyl fence along the western property line.

Planning staff does not object to the proposed deviations. However, does not believe that a vinyl fence will provide adequate buffering and transitioning of uses to the single family to the west. Therefore, it is Staff's opinion that a brick or masonry wall should be provided per the 1988 development order.

Existing Land Uses: The existing zoning designations and land uses are as follows:

Direction	Existing Zoning	Future Land Use	Existing Use
North	R-1A (Single Family Dwelling)	Office	Single family dwelling
South	City of Altamonte Springs	City of Altamonte Springs	Vacant lot
East	Maitland Avenue and the City of Altamonte Springs	City of Altamonte Springs	Church and its associated parking lots
West	R-1A (Single Family Dwelling)	Low Density Residential	Single family dwelling

Facilities and Services:

1. The site plan approval will ensure that adequate facilities and services will be provided.
2. The proposed zoning is consistent with the adopted future land use designation assigned to the property and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Vision 2020 Plan.
3. The City of Altamonte Spring provides water and sewer services to the site. Currently, the site is utilizing the City's water services and is on a septic tank. The subject property may be required to connect to central sewer, if it is available. Prior to the County approving the engineering plans, the applicant will be required to provide a letter from the City of Altamonte Springs approving the water and sewer service connections.

SITE ANALYSIS

Compatibility with surrounding development: The development trends along Maitland Avenue, both within the City of Altamonte Springs and the unincorporated area of Seminole County, consists of a mixture of both non-residential and residential uses. Therefore, the proposed request will be in keeping with the character of the area. However, in order to ensure compatibility between the proposed use and the existing single-family to the west and north, Staff recommends the following conditions:

1. Erect a 6 foot high brick or masonry wall along the western property line;
2. Access to Roy Boulevard shall be exit only;
3. Ingress to the site shall be from Maitland Avenue only;
4. Provide a cross access easement to the property to the south;
5. No medical or dental office uses shall be permitted;
6. Signage shall be consistent with the provisions of the Lake Mary Boulevard Overlay; and
7. The landscaping buffer along the western and southern property lines shall be a minimum of 3 feet width, with either wax myrtles, bald cypress or Italian cypress at least four feet in height at the time of planting and located every 15 feet on center.

STAFF FINDINGS

Staff finds that the requested RP zoning classification is:

1. Compatible with adjacent residential and non-residential developments.
2. Consistent with the Seminole County Vision 2020 Plan policies related to Office land use.
3. Consistent with the intent of the RP (Residential Professional) zoning classification of the Seminole County Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval of the requested rezoning from RP (Residential Professional) to RP (Residential Professional) per the attached development order.



LOT 1 AND THE EAST 24 FEET OF LOT 2,
BLOCK B, KEEZER SUBDIVISION, AS RECORDED
IN PLAT BOOK B, PAGE 24, PUBLIC RECORDS
OF SEMINOLE COUNTY, FLORIDA.

1. GRASS BED AND DISTURBED AREAS WITHIN HAYLAND AVENUE & ROY BOALE ROAD MUST BE RE-SEED.
2. CONTRACTOR SHALL PAY FOR AND OBTAIN ALL THE REQUIRED SINGLE COUNTY PERMITS AND A PRE-CONSTRUCTION CONFERENCE BEFORE STARTING CONSTRUCTION. THE PRE-CONSTRUCTION CONFERENCE WILL BE HELD AT THE COUNTY ENGINEERING DEPARTMENT, DEVELOPMENT PERMIT AT (407) 865-7400 FOR INFORMATION TO SET PRE-CONSTRUCTION MEETING ASSUMES OF COUNTY PERMITS AND OTHER REQUIREMENTS.
3. ALL MAINTENANCE TO COMPLY WITH THE ROADWAY AND TRAFFIC DESIGN STANDARDS, MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE STANDARD COUNTY LAND DEVELOPMENT CODE.
4. BEFORE TANK CONTRACTOR SHALL FIRST OBTAIN ABANDONMENT PERMIT, THEN REMOVE EXIST TANK FROM SITE AND FILL EXIST TANK WITH CLEAN SAND. SAND MUST BE MOIST COMPACTED WITH NEW CONSTRUCTION.

Stamens: 6, 3 per flower. Perianth: 6.

San Joaquin County Land Development Code Requirements

Adequate site visibility per 90 ft. rules must be graphically on the plans prior to approval or permit location. All conditions on or off the subject right-of-way shall be located on needed plans. Any sight obstruction found in field which is not an approved plan will require immediate correction of permit.

8. Includes County Level Development Code Requirements

Any market in or near San Francisco County right-of-way will require a construction permit.

San Joaquin County Land Development Code Requirements:
ALL traffic control signs and striping must be in accordance with San Joaquin County Land Development Code Chapter 250.23 Incorporating MUTCD and San Joaquin County Traffic Standards and must be installed PRIOR to OCCUPANCY of structure.

San Diego County Notice

Correlation is not calculated for sanitary collection systems, sewer disposal systems, and storm water management systems with all applicable Federal, state, and local management districts, etc.) results are obtained.



STATEMENT OF INTENT:

PROPERTY OWNER TO CONVERT AN EXISTING SINGLE FAMILY RESIDENCE TO A PROFESSIONAL OFFICE BUILDING. THIS INCLUDES REMODELING, PARKING, SUPPLEMENTARY SEWER LINES & DRAINAGE, AND LANDSCAPING.

SITE ADDRESS 800 WATLAND AVE.

SITE AREA 11,150 SF

A-F, RESIDENTIAL & OFFICE PROFESSIONALS

PARKING REQUIREMENTS:
(7,003 SF OFFICE) = (1 SPACE / 200 SF) 0 SPACES
(400 SF LAW LIBRARY) = (1 SPACE / ROOM) 1 SPACE

8' WIDE STANDARD SPACE	5 SPACES
10' WIDE STANDARD SPACE	4 SPACES
12' WIDE HANDICAP SPACE	1 SPACE
TOTAL SPACES PROVIDED	10 SPACES

LAND USE:	LAND AREA	PERCENT (%)
EXIST BUILDING	2,283 SF	21
EXIST PAVING	680 SF	6
PERVIOUS DRIVEWAY	2,580 SF	23
GRAVEL PARKING	1,340 SF	12
GREEN SPACE	4,257 SF	38
TOTAL LAND AREA	11,150 SF	100

UTILITIES:
WATER: CITY OF ALTAMONTE SPRING
SEWER: ON-SITE SANITARY SEPTIC TANK & DRAINFIELD

ON-SITE SEPTIC TANK:
(2,293 SF) * (15 GAL / 100 SF):
SEPTIC TANK SIZE:
DRAIN FIELD SIZE:
UNOBSERVED AREA:

ZELMAN OFFICE

PO BOX 853423
LAKE WARE
FLORIDA 32765-3423
(407) 578-3413

[illegible]

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On October 22, 2002, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Lee Road Building Partnership
Attn: Andrew Zelman
2431 Lee Road
Winter Park, Florida 32789

Project Name: Zelman Tract Rezone

Requested Development Approval: Rezoning from RP (Residential Professional) zoning classification to RP (Residential Professional) zoning classification

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: AMANDA SMITH
1101 East First Street
Sanford, Florida
32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - a. Erect a 6 foot high brick or masonry wall along the western property line;
 - b. Access to Roy Boulevard shall be exit only;
 - c. Ingress to the site shall be from Maitland Avenue only;
 - d. Provide a cross access easement to the property to the south;
 - e. No medical or dental office uses shall be permitted;
 - f. Signage shall be consistent with the provisions of the Lake Mary Boulevard Overlay; and
 - g. The landscaping buffer along the western and southern property lines shall be a minimum of 3 feet width, with either wax myrtles, bald cypress or Italian cypress at least four feet in height at the time of planting and located every 15 feet on center.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

FILE #

Z2002-023

DEVELOPMENT ORDER # 02-

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Donald S. Fisher
Planning and Development Director

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I **HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Donald S. Fisher who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2002.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Andrew Zelman, President of Lee Road Building Partnership, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Andrew Zelman, President of
Lee Road Building Partnership
Property Owner

Witness

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Andrew Zelman, President of Lee Road Building Partnership, who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2002.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

FILE #

Z2002-023

DEVELOPMENT ORDER # 02-

EXHIBIT "A"

LEGAL DESCRIPTION

FILE #

Z2002-023

DEVELOPMENT ORDER # 02-

EXHIBIT "B"

SITE PLAN

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (EXHIBIT A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE RP (RESIDENTIAL PROFESSIONAL) ZONING CLASSIFICATION THE RP (RESIDENTIAL PROFESSIONAL) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled Zelman Tract, dated October 22, 2002.

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from RP (Residential Professional) to RP (Residential Professional):

SEE ATTACHED EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order # _____ in the Official Land Records of Seminole County.

ENACTED this 22th day of OCTOBER 2002.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

**EXHIBIT A
LEGAL DESCRIPTION**